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**Carter, DeLuca, Farrell
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To:	Examiner	From:	George Likourezos
Fax:	703-872-9806	Date:	November 8, 2004
Phone:	703-305-2581	Pages:	16 (incl. Cover)
Re:	U.S. Patent No. 6,569,099 Our Docket: 1177-11	CC:	

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

•Comments:

Dear Examiner

Further to our discussion, transmitted herewith please find a copy of the Request for Issuance of a Certificate of Correction Under 35 U.S.C. 254 and C.F.R. 1.322 as submitted on August 17, 2004.

Sincerely,

George Likourezos

Confidentiality Notice: The information contained in this facsimile message is legally privileged and/or confidential information intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this facsimile or its content is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original facsimile message to us by mail or destroy it without making a copy. Thank you.

PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:

1. Request for Issuance of a Certificate of Correction Under 35 U.S.C. 254 and C.F.R. 1.322
2. Form PTO/SB/44
3. Copy of Information Disclosure Statement
4. Certificate of Mailing

Applicant: Eilaz Babeav
Serial No.: 09/669,312
Filed: January 12, 2001
For: ULTRASONIC METHOD AND DEVICE FOR
WOUND TREATMENT
Docket: 1177-11 (24149-10)
Dated: August 17, 2004
GL/af



Attorney Docket No. 1177-11**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patentee(s): Eilaz Babaev
Patent No.: 6,569,099 B1 Examiner: Shawntina Fuqua
Issued: May 27, 2003 Dated: August 17, 2004
For: ULTRASONIC METHOD AND DEVICE FOR WOUND TREATMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313

**REQUEST FOR ISSUANCE OF A CERTIFICATE OF CORRECTION
UNDER 35 U.S.C. §254 AND C.F.R. §1.322**

In accordance with 35 U.S.C. §254, 37 C.F.R. §1.322 and M.P.E.P. §§1480 and 1485 and Examiner Shawntina Fuqua, it is respectfully requested that a Certificate of Correction be issued for the following reason:

The references cited by the Information Disclosure Statement dated April 23, 2002 were omitted from the first page of the patent under the heading "References Cited."

CERTIFICATION UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313 on August 17, 2004

Dated: August 17, 2004


George Likourezos

Copies of the Information Disclosure Statement dated April 23, 2002 and the return postcard acknowledging receipt of the Information Disclosure Statement and the cited references are attached. Also attached is Form PTO/SB/44.

The Commissioner is authorized to charge any fee associated with this request, or credit any overpayment to Deposit Account No. 50-2140, without further authorization.

Respectfully Submitted,



George Likourezos

Reg. No. 40,067

Attorney for Patentec(s)

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PTO/SB/44 (02-01)

Approved for use through 01/31/2004, OMB 0851-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO : 6,569,099 B1
DATED : May 27, 2003
INVENTOR(S) : Eilaz Babaev

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

(56) References Cited:

Please see the attached Information Disclosure Statement dated April 23, 2002 together with a copy of the postcard indicating receipt on behalf of the U.S. Patent and Trademark Office.

MAILING ADDRESS OF SENDER:

Carter, DeLuca, Farrell & Schmidt LLP
445 Broad Hollow Road, Suite 225
Melville, New York 11747 Tel: (631) 501-5700

PATENT NO. 6,569,099 B1

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PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:

1. Information Disclosure Statement
2. Form PTO-1449
3. Cited References (118 references)
4. Certificate of Mailing

Applicant: Eliaz Babeav
Serial No.: 09/669,312
Filed: September 25, 2000
For: ULTRASONIC METHOD AND DEVICE FOR
WOUND TREATMENT
Docket: 1177-11 (24149-10)
Dated: April 23, 2002

DMC/GL/af

PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:

1. Information Disclosure Statement
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3. Cited References (118 references)
4. Certificate of Mailing

Applicant: Eliaz Babeav
Serial No.: 09/669,312
Filed: September 25, 2000
For: ULTRASONIC METHOD AND DEVICE FOR
WOUND TREATMENT
Docket: 1177-11 (24149-10)
Dated: April 23, 2002

DMC/GL/af



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Eilaz Babaev Examiner: Not Yet Assigned
Serial No.: 09/669,312 Group: Art Unit: 3764
Filed: September 25, 2000 Docket: 1177-11 (24149-10)
For: ULTRASONIC METHOD AND DEVICE FOR WOUND TREATMENT Dated: April 23, 2002

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. Copies of the listed items are enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, Washington, D.C. 20231 on April 23, 2002.

Dated: April 23, 2002

Adrienne Fagan
Adrienne Fagan

listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible. The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. § 1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. § 1.97(d)(ii).
 - ☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
 - ☐ Please charge the \$130.00 petition fee to Deposit Account No. 50-2140.
- ☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. § 1.17(p).
- ☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 50-2140.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or §1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to

Deposit Account 50-2140. Also, in the event any extensions of time for responding and/or a petition under 37 C.F.R. §1.17(i)(i) are required for the pending application(s), please treat this paper as a petition to extend the time and/or enter this Information Disclosure Statement as required and charge Deposit Account No. 50-2140 therefor. **TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

The claims of the application as now presented are believed to be patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of this application are respectfully requested.

Respectfully submitted,

David M. Carter
David M. Carter

Reg. No. 30,949
Attorney for Applicant(s)

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Form PTO-1449		Sheet 1 of 7				
INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)		Docket Number 1177-11 (24149-10)		Application Number 09/669,312		
		Applicant Eilaz Babaev				
		Filing Date September 25, 2000		Group Art Number 3764		
U.S. PATENT DOCUMENTS						
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	3,275,059	09/27/66	McCullough			
	3,392,916	07/16/68	Engstrom et al.			
	3,860,173	01/14/75	Sata			
	4,052,004	10/04/77	Martin et al.			
	4,085,893	04/25/78	Durley, III			
	4,153,201	05/08/79	Berger et al.			
	4,251,031	02/17/81	Martin et al.			
	4,294,407	10/13/81	Reichl et al.			
	4,301,968	11/24/81	Berger et al.			
	4,352,459	10/82	Berger et al.			
	4,428,531	01/31/84	Martin			
	4,466,571	08/21/84	Muhlbauer			
	4,530,360	07/23/85	Duarte			
	4,541,564	09/17/85	Berger et al.			
	4,619,400	10/28/86	Van Der Burgt			
	4,642,581	02/10/87	Erickson			
	4,655,393	04/07/87	Berger			
FOREIGN PATENT DOCUMENTS						
	Document Number	Date	Country	Class	Subclass	Translation Yes No
	0 156 4009 A2	18/02/85	EPO			
	0 437 155 B1	20/02/90	EPO			
OTHER DOCUMENTS						
Examiner	Journal of Burn Care & Rehabilitation; Volume 21, Number 4; July/August 2000 pgs. 333-338.					
	Design and Application of Low-Frequency Ultrasound and Its Combination With Laser					
	Radiation in Surgery and Therapy - Critical Reviews in Biomedical Engineering; 2001; pgs. 502-519					
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.						

Form PTO-1449		Sheet 2 of 7					
INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)				Docket Number		Application Number	
				1177-11 (24149-10)		09/669,312	
				Applicant			
				Eilaz Babaev			
				Filing Date		Group Art Number	
				September 25, 2000		3764	
U.S. PATENT DOCUMENTS							
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate	
	4,659,014	04/21/87	Soth et al.				
	4,679,551	07/14/87	Anthony				
	4,726,523	02/23/88	Kokubo et al.				
	4,726,525	02/23/88	Yonekawa et al.				
	4,733,820	03/29/88	Endo et al.				
	4,756,478	07/12/88	Endo et al.				
	4,783,003	11/08/88	Hirabayashi et al.				
	4,790,479	12/13/88	Matsumoto et al.				
	4,850,534	07/25/89	Takahashi et al.				
	4,905,671	03/06/90	Senge et al.				
	4,930,700	06/05/90	McKown				
	4,941,618	07/17/90	Hildebrand et al.				
	4,961,885	10/09/90	Avrahami et al.				
	5,002,059	03/26/91	Crowley et al.				
	5,040,537	08/20/91	Katakura				
	5,063,922	11/12/91	Hakkinen				
	5,078,268	12/31/91	Babeav				
FOREIGN PATENT DOCUMENTS							
	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
	0 657 226 B1	11/28/94	EPO				
	JP2000237275A2	09/05/00	Japan				
OTHER DOCUMENTS							
Examiner				Date Considered			
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							

Form PTO-1449		Sheet 3 of 7				
INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)		Docket Number 1177-11 (24149-10)				
		Application Number 09/669,312				
		Applicant Eilaz Babaev				
		Filing Date September 25, 2000	Group Art Number 3764			
U.S. PATENT DOCUMENTS						
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,104,042	04/14/92	McKown			
	5,115,805	05/26/92	Bommannan et al.			
	5,163,433	11/17/92	Kagawa et al.			
	5,172,692	12/22/92	Kulow et al.			
	5,186,162	02/16/93	Talish et al.			
	5,197,946	03/30/93	Tachibana			
	5,211,160	05/18/93	Talish et al.			
	5,231,975	08/03/93	Bommannan et al.			
	5,269,291	12/14/93	Carter			
	5,315,998	05/31/94	Tachibana et al.			
	5,316,000	05/31/94	Chapelon et al.			
	5,318,014	06/07/94	Carter			
	5,323,769	06/28/94	Bommannan et al.			
	5,324,255	06/28/94	Passafaro et al.			
	5,345,940	09/13/94	Seward et al.			
	5,347,998	09/20/94	Hodson et al.			
	5,362,309	11/08/94	Carter			
FOREIGN PATENT DOCUMENTS						
	Document Number	Date	Country	Class	Subclass	Translation
WO	96/35383	14/11/96	WIPO			Yes No
OTHER DOCUMENTS						
Examiner				Date Considered		
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.						

Form PTO-1449				Sheet 4 of 7			
INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)				Docket Number		Application Number	
				1177-11 (24149-10)		09/669,312	
				Applicant			
				Eliaz Babaev			
Filing Date				Group Art Number			
September 25, 2000				3764			
U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
		5,374,266	12/20/94	Kataoka et al.			
		5,380,411	01/10/95	Schlieff			
		5,393,296	02/28/95	Rattner			
		5,437,608	08/01/95	Tsukamoto			
		5,516,043	05/01/96	Manna et al.			
		5,520,168	05/28/96	Ritson et al.			
		5,520,612	05/08/96	Winder et al.			
		5,527,350	06/18/96	Grove et al.			
		5,529,572	06/25/96	Spector			
		5,545,124	08/13/96	Krause et al.			
		5,554,172	09/10/96	Homer et al.			
		5,556,372	09/17/96	Talish et al.			
		5,573,497	11/12/96	Chapelon			
		5,616,140	04/01/97	Prescott			
		5,626,554	05/06/97	Ryaby et al.			
		5,643,179	07/01/97	Fujimoto			
		5,656,018	08/12/97	Ogden			
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Subclass	Translation
							Yes No
OTHER DOCUMENTS							
Examiner					Date Considered		
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §809; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							

Form PTO-1449				Sheet 5 of 7			
INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)				Docket Number		Application Number	
				1177-11 (24149-10)		09/669,312	
				Applicant			
				Eilaz Babaev			
				Filing Date		Group Art Number	
				September 25, 2000		3764	
U.S. PATENT DOCUMENTS							
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate	
	5,858,323	08/19/97	Miller				
	5,899,805	12/23/97	Seward et al.				
	5,707,402	01/13/98	Helm				
	5,707,403	01/13/98	Grove et al.				
	5,735,811	04/07/98	Briskin				
	5,743,863	04/28/98	Chapelon				
	5,752,924	05/19/98	Kaufman et al.				
	5,762,616	06/09/98	Talish				
	5,730,705	03/24/98	Talish et al.				
	5,835,678	11/10/98	Li et al.				
	5,843,139	12/01/98	Goedeke et al.				
	5,879,314	03/09/99	Peterson et al.				
	5,879,364	03/09/99	Bromfield et al.				
	5,882,302	03/16/99	Driscoll, Jr. et al.				
	5,894,841	04/20/99	Voges				
	5,947,921	09/07/99	Johnson et al.				
	5,960,792	10/05/99	Lloyd et al.				
FOREIGN PATENT DOCUMENTS							
	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
OTHER DOCUMENTS							
Examiner				Date Considered			
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							

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Form PTO-1449				Docket Number		Application Number	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)				1177-11 (24149-10)		09/869,312	
				Applicant			
				Ellaz Babaev			
				Filing Date		Group Art Number	
				September 25, 2000		3764	
U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
		5,989,245	11/23/99	Prescott			
		6,001,069	12/14/99	Tachibana et al.			
		6,014,970	01/18/00	Jrvi et al.			
		6,024,718	02/15/00	Chen et al.			
		6,026,808	02/22/00	Armer et al.			
		6,027,495	02/22/00	Miller			
		6,061,597	05/09/00	Rieman et al.			
		6,076,519	06/20/00	Johnson			
		6,083,159	07/04/00	Driscoll, Jr. et al.			
		6,095,141	08/01/00	Armer et al.			
		6,098,620	08/08/00	Lloyd et al.			
		6,102,298	08/15/00	Bush et al.			
		6,106,547	08/22/00	Huel-Jung			
		6,113,558	09/05/00	Rosenscheln et al.			
		6,113,570	09/05/00	Siegel et al.			
		6,158,431	12/12/00	Poole			
		6,176,839 B1	01/23/01	DeLuis et al.			
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Subclass	Translation
							Yes No
OTHER DOCUMENTS							
Examiner					Date Considered		
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							

Sheet 7 of 7

INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)				Sheet 7 of 7 Docket Number <p style="text-align: center;">1177-11 (24149-10)</p>		Application Number <p style="text-align: center;">09/669,312</p>	
				Applicant <p style="text-align: center;">Eilaz Babaev</p>			
				Filing Date <p style="text-align: center;">September 25, 2000</p>		Group Art Number <p style="text-align: center;">3764</p>	

U.S. PATENT DOCUMENTS							
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate	
	6,186,963 B1	02/13/01	Schwarze et al.				
	6,190,336 B1	02/20/01	Duarte et al.				
	6,206,842 B1	03/27/01	Tu et al.				
	6,206,843 B1	03/27/01	Iger et al.				
	6,231,528 B1	05/15/01	Kaufman et al.				
	6,273,864 B1	08/14/01	Duarte et al.				
	6,321,109 B2	11/20/01	Ben-Halm et al.				
	6,322,527 B1	11/27/01	Talish				
	6,325,769 B1	12/04/01	Klopotek				

FOREIGN PATENT DOCUMENTS							
	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No

OTHER DOCUMENTS							

Examiner	Date Considered
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Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.